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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KELLY JEAN O'LEARY,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,¹

Defendant.

Case No.: 2:21-cv-00889-WGC

**ORDER GRANTING UNOPPOSED MOTION
FOR EXTENSION OF TIME TO FILE
CERTIFIED ADMINISTRATIVE RECORD
AND ANSWER**
(FIRST REQUEST)

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the "Commissioner"), by
 2 and through her undersigned attorneys, hereby moves for a 35-day extension of time to file the Certified
 3 Administrative Record (CAR) and answer to Plaintiff's Complaint. The CAR and answer to Plaintiff's
 4 Complaint were due to be filed by August 27, 2021 and the new due date would be October 1, 2021.
 5 This is the Commissioner's first request for an extension of time.

6 Defendant makes this request in good faith and for good cause, because the attorney previously
 7 assigned to this case, S. Wyeth McAdam, is no longer employed with the Social Security Office of the
 8 Regional Chief Counsel, Reg. IX and the case must be reassigned. The CAR in this case was not
 9 available on the original due date and was only received by our office this week. An attorney must be
 10 assigned to review the CAR for deficiencies prior to filing. Our office is working quickly to reassign this
 11 matter so that the CAR can be reviewed and filed in a timely manner. Given the volume of pending cases
 12 being handled by our attorneys at this time, the reassignment process has not yet been completed.
 13 Defendant requests an extension in which to respond to the Complaint until October 1, 2021.

14 On September 16, 2021, the undersigned conferred with Plaintiff's counsel, who has no opposition
 15 to the requested extension. It is therefore respectfully requested that Defendant be granted an extension of
 16 time to file the CAR and answer to Plaintiff's Complaint, through and including October 1, 2021.

17 Dated: September 16, 2021

18 CHRISTOPHER CHIOU
 Acting United States Attorney

19 /s/ Andrea Banks
 ANDREA BANKS
 Special Assistant United States Attorney

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 21
 22 IT IS SO ORDERED:

23 William G. Cobb
 24 UNITED STATES MAGISTRATE JUDGE
 25 WILLIAM G. COBB

26 DATED: September 16, 2021